

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Lisa D. Lewis,

Plaintiff,

v.

Civil No. 10-2967 (JNE/TNL)  
ORDER

Michael J. Astrue,

Defendant.

In a Report and Recommendation dated August 8, 2011, the Honorable Tony N. Leung, United States Magistrate Judge, recommended granting Defendant's Motion for Summary Judgment and denying Plaintiff's Motion for Summary Judgment. Plaintiff objected to the Report and Recommendation, and Defendant responded. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation [Docket No. 26].

The Administrative Law Judge (ALJ) concluded that Plaintiff was not disabled within the meaning of the Social Security Act. Plaintiff argues that the ALJ erred in discrediting her testimony. She asserts that the ALJ failed to adequately consider her ability to remember and articulate past events. However, the Court "defer[s] to the ALJ's determinations regarding the credibility of testimony, so long as they are supported by good reasons and substantial evidence." *Guilliams v. Barnhart*, 393 F.3d 798, 801 (8th Cir. 2005). The record demonstrates that there was substantial evidence to support the ALJ's conclusions regarding Plaintiff's credibility, including numerous inconsistencies between Plaintiff's testimony and her medical record, previous statements, and behavior.

Additionally, Plaintiff argues that the Magistrate Judge failed to specifically mention myocardial infarctions in 2005, 2006, and 2009. However, she does not cite to anything in the

record to support the assertions that she had any cardiac events over and above those detailed by the Magistrate Judge in his thorough Report and Recommendation.

Based on the files, records, and proceedings herein, and for the reasons stated above, IT IS ORDERED THAT:

1. Plaintiff's objection [Docket No. 28] to the Report and Recommendation [Docket No. 26] is OVERRULED.
2. Defendant's Motion for Summary Judgment [Docket No. 13] is GRANTED.
3. Plaintiff's Motion for Summary Judgment [Docket No. 7] is DENIED.
4. This case is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 24, 2011

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge